



**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption In Compliance With D.N.J. LBR 9004-1(b)

DUANE MORRIS LLP

Morris S. Bauer, Esq.
One Riverfront Plaza
1037 Raymond Boulevard, Suite 1800
Newark, NJ 07102-5429
Telephone: (973) 424-2037
E-mail: msbaurer@duanemorris.com

Counsel for Fulton Bank, N.A.

Order Filed on April 27, 2022
by Clerk
U.S. Bankruptcy Court
District of New Jersey

In Re:

VARUN MALIK,

Debtor.

Case No. 22-11708 CMG

Judge: Hon. Christine M. Gravelle

Chapter 11

**ORDER GRANTING MOTION OF FULTON BANK, N.A., TO STRIKE THE DEBTOR'S
ELECTION TO PROCEED AS A SUBCHAPTER V SMALL BUSINESS DEBTOR AND
OTHER RELATED RELIEF**

The relief set forth on the following pages, numbered two (2) and three (3) is hereby
ORDERED.

DATED: April 27, 2022

A handwritten signature in black ink, appearing to read "Christine M. Gravelle".

Honorable Christine M. Gravelle
United States Bankruptcy Judge

Page 2 of 3

Debtor: Varun Malik

Case No.: Case No. 22-11708 CMG

Caption: Order Granting Motion of Fulton Bank, N.A., to Strike the Debtor's Election to Proceed as a Subchapter V Small Business Debtor and Other Related Relief

This matter having been opened to the Court by Fulton Bank, N.A. (the "Movant" or "Fulton Bank"), by and through its counsel, Duane Morris LLP, in the above-captioned bankruptcy case (the "Bankruptcy Case") of Varun Malik (the "Debtor"), on the Motion of Fulton Bank, N.A., to Strike the Debtor's Election to Proceed as a Subchapter V Small Business Debtor (the "Motion"); and good and sufficient notice of the Motion having been provided; and the Court having considered the moving papers and any opposition thereto, and the arguments of counsel; and the Court having determined that good cause exists for the entry of this Order,

IT IS ORDERED as follows:

1. The Motion be and hereby is GRANTED to the extent set forth below.
2. The Debtor's election to proceed as a small business debtor under 11 U.S.C. § 101(51D), and as a debtor under Subchapter V of Chapter 11 under 11 U.S.C. § 1181(1) ("Subchapter V"), be and hereby is stricken, and the Bankruptcy Case shall proceed henceforth as one under chapter 11 of title 11 of the U.S. Code, but not under Subchapter V.
3. The Subchapter V trustee previously appointed by the United States Trustee in this Bankruptcy Case is terminated effective as of the date this Order is signed and entered by the Court.
4. On or before 21 days following the entry of this Order, the Subchapter V trustee shall file a Final Fee Application.
5. The Chapter 11 Small Business Subchapter V Plan filed by the Debtor on March 29, 2022 (Doc. No. 35) is withdrawn and the Order Setting Deadlines and Scheduling Confirmation Hearing related thereto (Doc. No. 40) be and hereby is vacated.

Page 3 of 3

Debtor: Varun Malik

Case No.: Case No. 22-11708 CMG

Caption: Order Granting Motion of Fulton Bank, N.A., to Strike the Debtor's Election to Proceed as a Subchapter V Small Business Debtor and Other Related Relief

6. The Order to Show Cause entered by the Court on March 30, 2022 in connection with the Debtor's Subchapter V election (Doc. No. 38) shall be and hereby is vacated.